

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PERIRX, INC.,

Plaintiff,

v.

THE REGENTS OF THE UNIVERSITY
OF CALIFORNIA, *et al.*,

Defendants.

Case No. 2:20-cv-02212-JDW

ORDER

AND NOW, this 20th day of January, 2022, upon consideration of Defendant the Regents of the University of California's Motion For Sanctions Against Plaintiff PeriRx, Inc. (ECF No. 158), and for the reasons set forth in the accompanying Memorandum, it is **ORDERED** that the Regents' Motion is **GRANTED IN PART** and **DENIED IN PART**, consistent with the analysis in the Court's Memorandum.

It is **FURTHERED ORDERED** as follows:

1. Pursuant to Fed. R. Civ. P. 11, the Court determines that sanctions are appropriate against PeriRx for allegations in the Complaint and First Amended Complaint about Temple University for which PeriRx lacked a good faith basis. PeriRx shall reimburse the Regents for all costs and attorneys' fees incurred as a result of subpoenaing and deposing Temple University in this matter;

2. On or before February 4, 2022, the Regents shall submit a fee petition to the Court for approval, and PeriRx may respond to that fee petition on or before February 18, 2022; and

3. Pursuant to Fed. R. Civ. P. 11, and In light of Kevin Kelly, Esq.'s and Linda Agnew, Esq.'s advancement of frivolous facts and legal arguments at various times throughout this case, as set forth in the Court's accompanying Memorandum, Mr. Kelly and Ms. Agnew are **FORMALLY REPRIMANDED**.

BY THE COURT:

/s/ Joshua D. Wolson

HON. JOSHUA D. WOLSON